

23-1648

UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT

SHAMROCK BUILDING MATERIALS, INC.,

Plaintiff-Appellant

v.

UNITED STATES,

Defendant-Appellee

**Appeal from the United States Court of International Trade in Case No.
1:20-cv-00074-TCS, Judge Timothy C. Stanceu.**

**MOTION REGARDING WITHDRAWAL OF COUNSEL FOR
PLAINTIFF-APPELLANT SHAMROCK BUILDING MATERIALS, INC.**

On behalf of Plaintiff-Appellant Shamrock Building Materials, Inc., we hereby respectfully move for the Clerk to withdraw the appearance of Edward J. Thomas as one of the attorneys for Plaintiff-Appellant, and that electronic notices and electronic service of documents no longer be provided to his email address. Mr. Thomas is no longer employed by Morris, Manning & Martin, LLP and will no longer participate as counsel in this litigation.

For the foregoing reasons, we respectfully request that the Clerk withdraw the appearance of Edward J. Thomas as one of the attorneys for Plaintiff-Appellant in this matter. Please contact the undersigned should you have any questions.

Respectfully submitted,

/s/ Patrick D. Gill

Patrick D. Gill
Michael S. O'Rourke
**SANDLER, TRAVIS &
ROSENBERG, P.A.**
675 Third Ave,
Suite 1805
New York, NY 10017
(212) 883-1300

*Attorney for Plaintiff-Appellant
Shamrock Building Materials, Inc.*

/s/ R. Will Planert

R. Will Planert
Julie C. Mendoza
Donald B. Cameron
Brady W. Mills
Mary S. Hodgins
Nicholas C. Duffey
MORRIS, MANNING & MARTIN LLP
1401 Eye Street NW, Suite 600
Washington, D.C. 20005
(202) 216-4819

*Attorney for Plaintiff-Appellant
Shamrock Building Materials, Inc.*

FORM 9. Certificate of Interest

Form 9 (p. 1)
March 2023

**UNITED STATES COURT OF APPEALS
FOR THE FEDERAL CIRCUIT**

CERTIFICATE OF INTEREST

Case Number 23-1648

Short Case Caption Shamrock Building Materials, Inc. v. US

Filing Party/Entity Shamrock Building Materials, Inc.

Instructions:

1. Complete each section of the form and select none or N/A if appropriate.
2. Please enter only one item per box; attach additional pages as needed, and check the box to indicate such pages are attached.
3. In answering Sections 2 and 3, be specific as to which represented entities the answers apply; lack of specificity may result in non-compliance.
4. Please do not duplicate entries within Section 5.
5. Counsel must file an amended Certificate of Interest within seven days after any information on this form changes. Fed. Cir. R. 47.4(c).

I certify the following information and any attached sheets are accurate and complete to the best of my knowledge.

Date: 07/28/2023

Signature: /s/ R. Will Planert

Name: R. Will Planert

FORM 9. Certificate of Interest

Form 9 (p. 2)
March 2023

1. Represented Entities. Fed. Cir. R. 47.4(a)(1).	2. Real Party in Interest. Fed. Cir. R. 47.4(a)(2).	3. Parent Corporations and Stockholders. Fed. Cir. R. 47.4(a)(3).
Provide the full names of all entities represented by undersigned counsel in this case.	Provide the full names of all real parties in interest for the entities. Do not list the real parties if they are the same as the entities. <input checked="" type="checkbox"/> None/Not Applicable	Provide the full names of all parent corporations for the entities and all publicly held companies that own 10% or more stock in the entities. <input checked="" type="checkbox"/> None/Not Applicable
Shamrock Building Materials, Inc.		

☐ Additional pages attached

FORM 9. Certificate of Interest

Form 9 (p. 3)
March 2023

4. Legal Representatives. List all law firms, partners, and associates that (a) appeared for the entities in the originating court or agency or (b) are expected to appear in this court for the entities. Do not include those who have already entered an appearance in this court. Fed. Cir. R. 47.4(a)(4).

☐ None/Not Applicable ☐ Additional pages attached

Morris, Manning & Martin, LLP	Jordan L. Fleischer	Eugene Degnan
	Ryan R. Migeed	
Sandler, Travis & Rosenberg, P.A.		

5. Related Cases. Other than the originating case(s) for this case, are there related or prior cases that meet the criteria under Fed. Cir. R. 47.5(a)?

☒ Yes (file separate notice; see below) ☐ No ☐ N/A (amicus/movant)

If yes, concurrently file a separate Notice of Related Case Information that complies with Fed. Cir. R. 47.5(b). **Please do not duplicate information.** This separate Notice must only be filed with the first Certificate of Interest or, subsequently, if information changes during the pendency of the appeal. Fed. Cir. R. 47.5(b).

6. Organizational Victims and Bankruptcy Cases. Provide any information required under Fed. R. App. P. 26.1(b) (organizational victims in criminal cases) and 26.1(c) (bankruptcy case debtors and trustees). Fed. Cir. R. 47.4(a)(6).

☒ None/Not Applicable ☐ Additional pages attached

**UNITED STATES COURT OF APPEALS
FOR THE FEDERAL CIRCUIT**

NOTICE OF RELATED CASE INFORMATION

Case Number 23-1648

Short Case Caption Shamrock Building Materials, Inc. v. US

Filing Party/Entity Shamrock Building Materials, Inc.

Instructions: Do not duplicate information. The notice must only be filed at the time of filing the first Certificate of Interest or, subsequently, if information changes during the pendency of the appeal. *See* Fed. Cir. R. 47.5(b). Attach additional pages as needed. This notice must not be included in a motion, petition, related response, or brief; please only include the Certificate of Interest (Form 9) in those documents.

1. **Related or prior cases.** Provide the case title, case number, and originating tribunal for each case. Fed. Cir. R. 47.5(b)(1).

Shamrock Building Materials, Inc. v. United States
U.S. Court of International Trade No. 21-00571
U.S. Court of International Trade

☐ Additional pages attached

FORM 9A. Notice of Related Case Information

Form 9A (p. 2)
March 2023

2. **Names of all parties involved in the cases listed above.** Do not duplicate the names of parties. Do not relist the case information. Fed. Cir. R. 47.5(b)(2)(A).

Shamrock Building Materials, Inc.
United States

☐ Additional pages attached

3. **Names of all law firms, partners, and associates in the cases listed above.** Do not duplicate the names of law firms, partners, and associates. Do not relist case information and party names. Fed. Cir. R. 47.5(b)(2)(B).

Morris, Manning, & Martin LLP: Donald B. Cameron, Julie C. Mendoza, R. Will Planert, Brady W. Mills, Mary S. Hodgins, Eugene Degnan, Jordan L. Fleischer, Nicholas C. Duffey
Sandler, Travis & Rosenberg, PA: Michael S. O'Rourke, Patrick D. Gill
U.S. Department of Justice: Peter A. Mancuso, Attorney-in-Charge, CBP Assistant Chief Counsel

☐ Additional pages attached

I certify the following information and any attached sheets are accurate and complete to the best of my knowledge.

Date: 07/28/2023

Signature: /s/ R. Will Planert

Name: R. Will Planert

FORM 30. Certificate of Service

Form 30
July 2020**UNITED STATES COURT OF APPEALS
FOR THE FEDERAL CIRCUIT****CERTIFICATE OF SERVICE****Case Number** 23-1648**Short Case Caption** Shamrock Building Materials, Inc. v. US

NOTE: Proof of service is only required when the rules specify that service must be accomplished outside the court's electronic filing system. See Fed. R. App. P. 25(d); Fed. Cir. R. 25(e). Attach additional pages as needed.

I certify that I served a copy of the foregoing filing on 07/28/2023

by ☐ U.S. Mail ☐ Hand Delivery ☒ Email ☐ Facsimile
☐ Other: _____

on the below individuals at the following locations.

Person Served	Service Location (Address, Facsimile, Email)
Marcella Powell	U.S. Department of Justice, International Trade Field Office, 26 Federal Plaza, Suite 346, New York, NY 10278, marcella.powell@usdoj.gov
Aimee Lee	International Trade Field Office, U.S. Department of Justice, 26 Federal Plaza, Room 346, New York, NY 10278, aimee.lee@usdoj.gov
Mathias Rabinovitch	Office of Assistant Chief Counsel, U.S. Customs and Border Protection, 26 Federal Plaza, Room 258, New York, NY 10278, mathias.rabinovitch@cbp.dhs.gov
Justin R. Miller	International Trade Field Office, U.S. Department of Justice, 26 Federal Plaza, Room 346, New York, NY 10278, justin.r.miller@usdoj.gov

☐ Additional pages attached.Date: 07/28/2023Signature: /s/ R. Will PlanertName: R. Will Planert